

PATENT

App. Ser. No.: 09/918,746
Atty. Dkt. No. ROC920010041US1
PS Ref. No.: IBMK10041

REMARKS

This is intended as a full and complete response to the Office Action dated February 6, 2006, having a shortened statutory period for response set to expire on May 6, 2006. Please reconsider the claims pending in the application for reasons discussed below.

Claims 8-23 are pending in the application. Claims 8-23 remain pending following entry of this response.

Claim Rejections - 35 U.S.C. § 103

Claims 8-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Badovinat* *et al.* (US 6,026,426, hereinafter *Badovinat*), and further in view of *Elley et al.* (US 6,883,100, hereinafter *Elley*).

Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143.

The present rejection fails to establish at least the third criteria. For example, with respect to claims 1, 12, and 19, *Badovinat* does not disclose receiving a request to join a group from a requesting member job having membership to the group. Examiner's citations in column 6, lines 61-67, Column 7 Lines 1-2 of *Badovinat* only disclose requests, by a processor, "to be added to a particular processor group...." Applicants respectfully submit that the processor group disclosed in Examiner's citations is not the same as a job group. Paragraphs 39 and 44 of the specification illustrate the distinction between a processor and a job, and Applicants submit the distinction between a processor and a job is well-known. Paragraph 44 defines a node which

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"includes one or more system processors." Paragraph 39 discloses that "two or more nodes may define a cluster." One or more "groups" may be defined within a cluster, the groups corresponding to "a logical grouping of a member or members." See Paragraph 39. A member is defined as "a job executing on one or more of the nodes within the cluster. *Id.* However, , as noted above, a job is not synonymous with a processor. Therefore, *Badovintz* does not disclose receiving a request to join a group from a requesting member job having membership to the group.

Therefore, the claims 1, 12, 19, and the dependents therefrom are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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